





PAPERS RELATING TO THE COMMERCIAL ARRANGEMENT

BETWEEN THE

UNITED STATES AND SPAIN

FOR

CUBA AND PORTO RICO.

CONCLUDED JUNE 16, 1891.—PROCLAIMED AUGUST 1, 1891.

RECIPROCITY WITH SPAIN.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas, pursuant to section 3 of the Act of Congress approved October 1, 1890, entitled "An Act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of Spain the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3, to wit, sugars, molasses, coffee and hides, to be exempt from duty upon their importation into the United States of America;

And whereas the Envoy Extraordinary and Minister Plenipotentiary of Spain at Washington has communicated to the Secretary of State the fact that, in reciprocity and compensation for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said act, the Government of Spain will, by due legal enactment, and as a provisional measure, admit, from and after September 1, 1891, into all the established ports of entry of the Spanish islands of Cuba and Porto Rico, the articles or merchandise named in the following Transitory Schedule, on the terms stated therein, provided that the same be the product or manufacture of the United States and proceed directly from the ports of said States :

TRANSITORY SCHEDULE.

Products or manufactures of the United States to be admitted into Cuba and Porto Rico free of duties :

1. Meats, in brine, salted or smoked, bacon, hams, and meats preserved in cans, in lard or by extraction of air; jerked beef excepted.

2. Lard.
3. Tallow and other animal greases, melted or crude, unmanufactured.
4. Fish and shellfish, live, fresh, dried, in brine, smoked, pickled ; oysters and salmon in cans.
5. Oats, barley, rye and buckwheat and flour of these cereals.
6. Starch, maizena and other alimentary products of corn, except corn meal.
7. Cotton seed, oil and meal cake of said seed for cattle.
8. Hay, straw for forage and bran.
9. Fruits, fresh, dried and preserved, except raisins.
10. Vegetables and garden products, fresh and dried.
11. Resin of pine, tar, pitch and turpentine.
12. Woods of all kinds, in trunks or logs, joists, rafters, planks, beams, boards, round or cylindric masts, although cut, planed and tongued and grooved, including flooring.
13. Woods for cooperage, including staves, headings and wooden hoops.
14. Wooden boxes, mounted or unmounted, except of cedar.
15. Woods, ordinary, manufactured into doors, frames, windows and shutters, without paint or varnish, and wooden houses, unmounted, without paint or varnish.
16. Wagons and carts for ordinary roads and agriculture.
17. Sewing machines.
18. Petroleum, raw or unrefined, according to the classification fixed in the existing orders for the importation of this article in said islands.
19. Coal, mineral.
20. Ice.

Products or manufactures of the United States to be admitted into Cuba and Porto Rico on payment of the duties stated :

21. Corn or maize, 25 cents per 100 kilogrammes.
22. Corn meal, 25 cents per 100 kilogrammes.

23. Wheat, from January 1, 1892, 30 cents per 100 kilogrammes.

24. Wheat-flour, from January 1, 1892, \$1 per 100 kilogrammes.

Products or manufactures of the United States to be admitted into Cuba and Porto Rico at a reduction of duty of 25 per centum :

25. Butter and cheese.

26. Petroleum, refined.

27. Boots and shoes in whole or in part of leather or skins.

And whereas the Envoy Extraordinary and Minister Plenipotentiary of Spain in Washington has further communicated to the Secretary of State that the Government of Spain will, in like manner and as a definitive arrangement, admit, from and after July 1, 1892, into all the established ports of entry of the Spanish islands of Cuba and Porto Rico, the articles or merchandise named in the following schedules A, B, C, and D, on the terms stated therein, provided that the same be the product or manufacture of the United States and proceed directly from the ports of said States :

SCHEDULE A.

Products or manufactures of the United States to be admitted into Cuba and Porto Rico free of duties :

1. Marble, jasper and alabaster natural or artificial, in rough or in pieces, dressed, squared and prepared for taking shape.

2. Other stones and earthy matters, including cement, employed in building, the arts and industries.

3. Waters, mineral or medicinal.

4. Ice.

5. Coal, mineral.

6. Resin, tar, pitch, turpentine, asphalt, schist and bitumen.

7. Petroleum, raw or crude, in accordance with the classification fixed in the tariff of said islands.

8. Clay, ordinary, in paving tiles large and small, bricks, and roof tiles unglazed, for the construction of buildings, ovens and other similar purposes.

9. Gold and silver coin.

10. Iron, cast in pigs, and old iron and steel.

11. Iron, cast, in pipes, beams, rafters and similar articles, for the construction of buildings, and in ordinary manufactures. (See repertory.)

12. Iron, wrought, and steel, in bars, rails and bars of all kinds, plates, beams, rafters, and other similar articles for construction of buildings.

13. Iron, wrought, and steel, in wire, nails, screws, nuts, and pipes.

14. Iron, wrought, and steel, in ordinary manufactures and wire cloth unmanufactured. (See repertory.)

15. Cotton, raw, with or without seed.

16. Cotton seed, oil and meal cake of same for cattle.

17. Tallow and all other animal greases, melted or crude, unmanufactured.

18. Books and pamphlets, printed, bound and unbound.

19. Woods of all kinds, in trunks or logs, joists, rafters, planks, beams, boards and round or cylindric masts, although cut, planed, tongued and grooved, including flooring.

20. Wooden cooperage, including staves, headings and wooden hoops.

21. Wooden boxes, mounted or unmounted, except of cedar.

22. Woods, ordinary, manufactured into doors, frames, windows and shutters, without paint or varnish, and wooden houses, unmounted, without paint or varnish.

23. Woods, ordinary, manufactured into all kinds of articles turned or unturned, painted or varnished, except furniture. (See repertory.)

24. Manures, natural or artificial.

25. Implements, utensils and tools for agriculture, the arts and mechanical trades.

26. Machines and apparatus, agricultural, motive, industrial and scientific, of all classes and materials, and loose pieces

for the same, including wagons, carts and handcarts for ordinary roads and agriculture.

27. Material and articles for public works, such as railroads, tramways, roads, canals for irrigation and navigation, use of waters, ports, lighthouses, and civil construction of general utility, when introduced by authorization of the Government, or if free admission is obtained in accordance with local laws.

28. Materials of all classes for the construction, repair in whole or in part of vessels, subject to specific regulations to avoid abuse in the importation.

29. Meats, in brine, salted and smoked, including bacon, hams, and meats preserved in cans, in lard or by extraction of air; jerked beef excepted.

30. Lard and butter.

31. Cheese.

32. Fish and shellfish, live, fresh, dried, in brine, salted, smoked and pickled; oysters and salmon in cans.

33. Oats, barley, rye and buckwheat, and flour of these cereals.

34. Starch, maizena and other alimentary products of corn, except corn meal.

35. Fruits, fresh, dried and preserved, except raisins.

36. Vegetables and garden products, fresh and dried.

37. Hay, straw for forage and bran.

38. Trees, plants, shrubs and garden seeds.

39. Tan bark.

SCHEDULE B.

Products or manufactures of the United States to be admitted into Cuba and Porto Rico on payment of the duties stated:

40. Corn or maize, 25 cents per 100 kilogrammes.

41. Corn meal, 25 cents per 100 kilogrammes.

42. Wheat, 30 cents per 100 kilogrammes.

43. Wheat-flour, \$1 per 100 kilogrammes.

44. Carriages, cars and other vehicles for railroads or tramways, where authorization of the Government for free admission has not been obtained, 1 per centum ad valorem.

SCHEDULE C.

Products or manufactures of the United States to be admitted into Cuba and Porto Rico at a reduction of duty of 50 per centum:

45. Marble, jasper and alabaster, of all kinds, cut into flags, slabs or steps, and the same worked or carved in all kinds of articles polished or not.

46. Glass and crystal ware, plate and window glass, and the same silvered, quicksilvered and platinized.

47. Clay in tiles, large and small, and mosaic for pavements, colored tiles, roof tiles glazed and pipes.

48. Stoneware and fine earthenware, and porcelain.

49. Iron, cast, in fine manufactures or those polished, with coating of porcelain or part of other metals. (See repertory.)

50. Iron, wrought, and steel, in axles, tires, springs and wheels for carriages, rivets and their washers.

51. Iron, wrought, and steel, in fine manufactures or those polished, with coating of porcelain or part of other metals, not expressly comprised in other numbers of these schedules, and platform scales for weighing. (See repertory.)

52. Needles, pens, knives, table and carving, razors, penknives, scissors, pieces for watches and other similar articles of iron and steel.

53. Tin plate in sheets or manufactured.

54. Copper, bronze, brass and nickel, and alloys of same with common metals, in lump or bars, and all manufactures of the same.

55. All other common metals and alloys of the same, in lump or bars, and all manufactures of the same, plain, varnished, gilt, silvered or nickeled.

56. Furniture of all kinds, of wood or metal, including school furniture, blackboards and other materials for schools, and all kinds of articles of fine woods not expressly comprised in other numbers of these schedules. (See repertory.)

57. Rushes, esparto, vegetable hair, broom corn, willow, straw, palm and other similar materials, manufactured into articles of all kinds.

58. Pastes for soups, rice flour, bread and crackers, and alimentary farinas, not comprised in other numbers of these schedules.

59. Preserved alimentary substances and canned goods, not comprised in other numbers of these schedules, including sausages, stuffed meats, mustards, sauces, pickles, jams and jellies.

60. Rubber and gutta-percha, and manufactures thereof, alone or mixed with other substances (except silk), and oil-cloths and tarpaulin.

61. Rice, hulled or unhulled.

SCHEDULE D.

Products or manufactures of the United States to be admitted into Cuba and Porto Rico at a reduction of duty of 25 per centum :

62. Petroleum, refined, and benzine.

63. Cotton manufactured, spun or twisted, and in goods of all kinds, woven or knit, and the same mixed with other vegetable or animal fibers in which cotton is an equal or greater component part, and clothing exclusively of cotton.

64. Rope, cordage and twine of all kinds.

65. Colors, crude and prepared, with or without oil, inks of all kinds, shoe blacking and varnishes.

66. Soap, toilet, and perfumery.

67. Medicines, proprietary or patent and all others, and drugs.

68. Stearine and tallow manufactured in candles.

69. Paper for printing, for decorating rooms, of wood or straw for wrapping and packing and bags and boxes of same, sandpaper and pasteboard.

70. Leather and skins, tanned, dressed, varnished or japanned, of all kinds, including sole leather or belting.

71. Boots and shoes in whole or in part of leather or skins.

72. Trunks, valises, traveling bags, portfolios and other similar articles in whole or in part of leather.

73. Harness and saddlery of all kinds.

74. Watches and clocks, of gold, silver or other metals, with cases of stone, wood or other material, plain or ornamented.

75. Carriages of two or four wheels and pieces of the same.

It is understood that flour which, on its exportation from the United States, has been favored with drawbacks shall not share in the foregoing reduction of duty.

The provisional arrangement as set forth in the Transitory Schedule shall come to an end on July 1, 1892, and on that date be substituted by the definitive arrangement as set forth in schedules A, B, C, and D.

And that the Government of Spain has further provided that the laws and regulations, adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing schedules are the product or manufacture of the United States of America, shall place no undue restrictions on the importer, nor impose any additional charges or fees therefor on the articles imported.

And whereas the Secretary of State has, by my direction, given assurance to the Envoy Extraordinary and Minister Plenipotentiary of Spain at Washington that this action of the Government of Spain, in granting exemption of duties to the products and manufactures of the United States of America on their importation into Cuba and Porto Rico, is accepted for those islands as a due reciprocity for the action of Congress as set forth in section 3 of said Act :

Now, therefore, be it known that I, BENJAMIN HARRISON, President of the United States of America, have caused the above-stated modifications of the tariff laws of Cuba and Porto Rico to be made public for the information of the citizens of the United States of America.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this thirty-first day of July, one thousand eight hundred and ninety-
[SEAL.] one, and of the independence of the United States of America the one hundred and sixteenth.

By the President :

BENJ. HARRISON.

WILLIAM F. WHARTON,

Acting Secretary of State.

PRECEDING CORRESPONDENCE.

Mr. Blaine to Señor Suarez Guanés.

DEPARTMENT OF STATE,

Washington, January 3, 1891.

SIR: I have the honor to bring to your attention the fact that the Congress of the United States, at its last session, enacted a law, of which a copy is enclosed herewith, in which provision was made for the admission into the United States, free of all duty, of the following articles: All sugars not above No. 16 Dutch standard in color, molasses, coffee, tea, hides, and skins.

In section 3 of this law it is declared that these remissions of duty were made "with a view to secure reciprocal trade with countries producing" those articles; and it is provided that, whenever the President shall be satisfied that reciprocal favors are not granted to the products of the United States in the countries referred to, "he shall have the power and it shall be his duty" to impose upon the articles above enumerated, the products of the countries concerned, the rates of duty set forth in section 3.

The Government of the United States being earnestly desirous of maintaining with Spain and its colonies such trade relations as shall be reciprocally equal and mutually advantageous, I am directed by the President to request you to bring the above-mentioned provisions of this act of Congress to the attention of your Government, and to express the hope that you may be empowered to enter with me upon the consideration of the subject, with a view to the adjustment of the commercial relations between the two countries on a permanent basis of reciprocity profitable alike to both.

Accept, Sir, the renewed assurances of my highest consideration.

JAMES G. BLAINE.

Señor Don MIGUEL SUAREZ GUANÉS,

Etc., etc., etc.

Señor Suarez Guanes to Mr. Blaine.

LEGATION OF SPAIN AT WASHINGTON,
Washington, June 8, 1891.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary of Spain, has the honor to inform the Honorable Secretary of State, in reply to his note of the 3d of January last, that his Government, desirous of strengthening and increasing the commercial relations between Spain and the United States of North America to the benefit of both countries, and being convinced that the community and harmony of their respective interests counsel that said relations should be stimulated and favored for the greater development and encouragement of their commerce, has decided to respond, as promptly and as fully as its national interests and international engagements permit, to the legislation of the Congress of the United States, as set forth in the note of January 3 above mentioned.

He has therefore been instructed to inform the Honorable Secretary of State that, in view of there having been decreed the free admission into the United States, from the 1st of April of the present year, of sugars, molasses, coffee, tea, and untanned hides, as a provisional measure, until a definitive arrangement between the United States and Spain shall be put in operation, and in reciprocity and compensation for the admission into the ports of the Union, free of all national, State, and municipal duties, of the products of Cuba and Porto Rico enumerated in the aforesaid note of the 3d of January last, the Government of Her Majesty is prepared to make use in part of the power granted to it by the law of the 22d of July, 1884, authorizing the admission into all the established ports of Cuba and Porto Rico, from the 1st day of September, 1891, of the articles or merchandise named in the transitory schedule annexed hereto; provided that the duties of the third column of the tariffs of the said islands, to which reference is made in said schedule, are understood to be those stated in the tariffs which are now in force, with the additional duties authorized by laws and orders previous to this date.

The necessary condition is imposed that said merchandise shall be the product or manufacture of the United States, and proceed directly from the ports of these States in the manner stated in the annexed schedule.

As provided in the same schedule, the benefit of the reduction of duties granted to American wheat and wheat-flour, on their introduction into the ports of Cuba and Porto Rico, shall not take effect until the 1st day of January, 1892. —

Flour shall be excluded from said reduction, and shall not therefore share in it, which, on its departure from the ports of the Union, destined to those of Cuba and Porto Rico, may be favored with drawbacks or other tariff advantages.

The Government of Spain gives the assurance that, during the existence of this transitory arrangement, no export or port duty, whether national or provincial, shall be imposed on the articles or merchandise exported from Cuba and Porto Rico to the United States, and which the latter nation admits free of duties.

Respecting the North American articles of food, drink, and fuel specified in the annexed transitory schedule, which are imported into said islands, the Government of Spain, without restricting the rights of the municipal councils, will seek to have the latter impose upon them no greater municipal duties than those which national products pay, and that they shall not materially increase the price of said articles.

The Spanish Government reserves the right to propose the laws and adopt the regulations necessary to protect the customs revenues in said islands, to prevent fraud and require proof of the North American nationality of the articles enumerated in the annexed schedule. These laws and regulations shall not be unduly restrictive, nor create additional charges therefor, nor impose new duties on the articles imported.

What has just been stated will convince the President that the Government of Her Majesty responds to the legislation of the Congress of the United States in a spirit of sincere friendship and reciprocity, and, in this firm conviction, it has authorized the undersigned to conclude with that of the United

States the proper executive international agreement, which shall begin to take effect on the 1st day of September, 1891, and also to agree with the Honorable Secretary of State on the day when it shall be simultaneously and officially published in both countries, with the understanding that this commercial arrangement, put in operation under the clauses above stated, shall remain in force so long as it shall not be modified by the mutual agreement of the Executive Power of the two countries, always reserving the respective right of the Cortes of Spain and of the Congress of the United States to modify or repeal it whenever they may think proper.

The undersigned Minister gladly improves this opportunity to reiterate to the Honorable Secretary of State the assurances of his highest consideration.

M. SUAREZ GUANES.

The Honorable JAMES G. BLAINE,
Secretary of State of the United States.

TRANSITORY SCHEDULE.

Products or manufactures of the United States proceeding from the ports of said States to be admitted into Cuba and Porto Rico, on and after September 1, 1891, free of customs duties, and unloading and all other charges, whether national or provincial:

1. Meats, in brine, salted or smoked, bacon, hams, and meats preserved in cans, in lard or by extraction of air; jerked beef excepted.

2. Lard.

3. Tallow and other animal greases, melted or crude, unmanufactured.

4. Fish and shellfish, live, fresh, dried, in brine, smoked, pickled; oysters and salmon in cans.

5. Oats, barley, rye and buckwheat and flour of these cereals.

6. Starch, maizena and other alimentary products of corn, except corn meal.

7. Cotton seed, oil and meal cake of said seed for cattle.

8. Hay, straw for forage and bran.

9. Fruits, fresh, dried and preserved, except raisins.

10. Vegetables and garden products, fresh and dried.

11. Resin of pine, tar, pitch and turpentine.

12. Woods of all kinds, in trunks or logs, joists, rafters, planks, beams, boards, round or cylindric masts, although cut, planed and tongued and grooved, including flooring.

13. Woods for cooperage, including staves, headings and wooden hoops.

14. Wooden boxes, mounted or unmounted, except of cedar.
 15. Woods, ordinary, manufactured into doors, frames, windows and shutters, without paint or varnish, and wooden houses, unmounted, without paint or varnish.
 16. Wagons and carts for ordinary roads and agriculture.
 17. Sewing machines.
 18. Petroleum, raw or unrefined, according to the classification fixed in the existing orders for the importation of this article in said islands.
 19. Coal, mineral.
 20. Ice.
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Products or manufactures of the United States, proceeding from the ports of said States, to be admitted into Cuba and Porto Rico, on and after September 1, 1891 (with the exceptions stated), on payment of the customs duties stated, being exempt from the unloading and all other charges, whether national or provincial:

21. Corn or maize, 25 cents per 100 kilogrammes.
22. Corn meal, 25 cents per 100 kilogrammes.
23. Wheat, from January 1, 1892, 30 cents per 100 kilogrammes.
24. Wheat-flour, from January 1, 1892, \$1 per 100 kilogrammes.

It is to be understood that the packages or coverings in which the articles named in the two foregoing schedules are imported shall enter free of duty if they are usual and proper for the purpose.

Products or manufactures of the United States, proceeding from the ports of said States to be admitted into Cuba and Porto Rico, on and after September 1, 1891, at a reduction of 25 per centum of the duty fixed on each article in the third column of the customs tariff of said islands, or in the column in force in case said third column shall be substituted by another, which reduction shall be likewise applied to the unloading and all other duties which are imposed for the benefit of the nation or provinces on imported goods:

25. Butter and cheese.
26. Petroleum, refined.
27. Boots and shoes in whole or in part of leather or skins.

It is agreed that the duties of the third column of the tariffs of the islands of Cuba and Porto Rico mentioned in this schedule are understood to be those stated in the tariffs now in force, with the additional duties authorized by laws and orders previous to this date.

(Signed,)

FABIÉ.

WASHINGTON, *June 8, 1891.*

A true copy.

M. SUAREZ GUANES.

Mr. Blaine to Señor Suarez Guanes.

DEPARTMENT OF STATE,

Washington, June 10, 1891.

SIR: I have great pleasure in acknowledging the receipt of your note of the 8th instant, in which you inform me that, as a provisional measure, until a more definitive arrangement shall be put in operation, the Government of Spain, in reciprocity and compensation for the admission into the ports of the United States, free from all national, State, or municipal duties, of the products of the Spanish islands of Cuba and Porto Rico enumerated in my note of January 3 last, is prepared by due legal enactment to authorize the free or favored admission into said islands, from September 1 next, of the articles proceeding directly from, and the product or manufacture of, the United States of America, named in the schedule attached to your note; that your Government gives the assurance that no export or port tax, whether national or provincial, shall be imposed on the articles admitted free into the United States; that it will seek to have no greater municipal duties than those paid by national products imposed on the articles named in said schedule, and that said duties shall not materially increase the price of said articles; and that the laws and regulations which may be adopted by Spain to prevent fraud shall not impose any additional charges therefor on the articles named in said schedule imported from the United States.

I am directed by the President to state to you that, as a provisional measure, he accepts this action of the Government of Spain, in proposing to grant exemption of duties to the products of the United States, as a due reciprocity for the action of the Congress of the United States, as set forth in my note to you of January 3 last.

I am also pleased to reciprocate the assurance contained in your note, and to state that no export tax, whether national, State, or municipal, can or will be imposed in the United States upon the products and manufactures enumerated in the schedule attached to your note of the 8th instant.

It may be further understood that, while the Government of the United States reserves the right to adopt such laws and regulations as may be found necessary to protect the revenue and prevent fraud in the declarations and proof that the articles enumerated in my note of January 3 last, and whose free admission is provided for by the tariff law therein cited, are the product or manufacture of the islands of Cuba and Porto Rico, the laws and regulations to be adopted to that end shall place no undue restrictions on the importer nor impose any additional charges therefor upon the articles imported.

It is likewise understood that wheat-flour shall not share in the specified reduction of duties which begins to take effect January 1, 1892, which, on its exportation from the United States, may have been favored with any tariff advantages in the nature of drawbacks.

I have, therefore, to request that you will be so kind as to call at the Department of State at your early convenience to agree upon the time and manner of making public announcement of this transitory commercial arrangement, which, it is understood, shall remain in force so long as it shall not be modified by the mutual agreement of the Executive Power of the two countries, always reserving the respective right of the Congress of the United States and of the Cortes of Spain to modify or repeal said arrangement whenever they may think proper.

Accept, Sir, the renewed assurances of my highest consideration.

JAMES G. BLAINE.

Señor Don MIGUEL SUAREZ GUANES,

Etc., etc., etc.

Señor Suarez Guanés to Mr. Blaine.

LEGATION OF SPAIN AT WASHINGTON,

June 12, 1891.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary of Spain, has the honor to inform the Honorable

Secretary of State that, a transitory commercial arrangement having been agreed upon between the Government of His Majesty and that of the United States of North America, which is to go into effect on the 1st day of September, 1891, and it being the desire of both Governments that said arrangement should have a definitive character from the time when Spain shall be free from her international engagements, the Government of His Majesty, in reciprocity and compensation for the admission into the ports of the United States of America, free of all national, State, and municipal duties, of the products of Cuba and Porto Rico enumerated in the note of the Honorable Secretary of State of the 3d of January of the present year, is prepared to make full use of the power granted to it by the law of the 22d of July, 1884, authorizing the admission into all the established ports of said islands, from the 1st of July, 1892, of the articles or merchandise named in the schedules annexed to this note, designated by the letters A, B, C, and D; provided that the duties of the third column of the tariffs of the islands of Cuba and Porto Rico, to which reference is made in said schedules, are understood to be those stated in the tariffs which are now in force, with the additional duties authorized by laws and orders previous to this date.

A necessary condition is imposed that said merchandise shall be the product or manufacture of the United States, and proceed directly from the ports of the Union in the manner stated in the annexed schedules.

The Government of Spain gives the assurance that, during the existence of the arrangement, no export or port duty, whether national or provincial, shall be imposed on the articles or merchandise which are exported from Cuba and Porto Rico to the United States, and which the latter nation admits free of duties.

Respecting the North American articles of food, drink, and fuel specified in the annexed schedules which are imported into said islands, the Government of His Majesty, without restricting the rights of the municipal councils, will seek to have the latter impose upon them no greater municipal taxes

than those which national products pay, and that they shall not materially increase the price of said articles.

The Government of His Majesty reserves the right to propose the laws and adopt the regulations necessary to protect the customs revenues in the islands of Cuba and Porto Rico, to prevent fraud and require proof of the North American nationality of the articles enumerated in the annexed schedules. These laws shall not be unduly restrictive, nor create additional charges therefor, nor impose new duties on the articles imported.

A repertory shall be compiled to regulate the better application of the annexed schedules in the custom-houses of Cuba and Porto Rico, and as a basis for the classification of articles the repertory attached to the unratified treaty of October 18, 1884, shall be taken with such modifications as the present schedules require.

Flour which, on its departure from the ports of the Union for those of Cuba and Porto Rico, is favored with drawbacks or other tariff advantages is excluded from the reduction of duties conceded in the annexed schedules to American wheat and wheat-flour, and shall not share in said favor.

It is to be understood that, when this definitive commercial arrangement goes into effect, the transitory one shall terminate and be of no further force.

The definitive arrangement thus put in operation shall remain in force so long as it shall not be modified by the mutual agreement of the Executive Power of the two countries, always reserving the respective right of the Cortes of Spain and of the Congress of the United States to modify or repeal said arrangement whenever they may think proper.

The Governments of the two nations shall fix the day when this definitive arrangement shall be simultaneously and officially published in both countries.

In proposing in the name of his Government the project of the definitive commercial arrangement in the terms which he has just transcribed, it remains for the undersigned to comply with the special instruction which his Government has likewise given him, to submit to the consideration of the

Honorable Secretary of State the serious injuries which have been occasioned to the tobacco production in the islands of Cuba and Porto Rico, in consequence of the increase of duties imposed on said article by the new tariff law of the United States, cherishing the hope that, while it may not be possible to diminish them at once in the present arrangement, because the President of the Union has not the power to do so, the latter will exercise his constitutional powers in order to recommend to Congress the said reduction of duties on the tobacco of Cuba and Porto Rico.

These measures will duly complete the friendly character of the commercial relations between the two countries, for which purpose the Spanish Government has not hesitated to facilitate, as far as was within its power, the negotiation of the present reciprocity arrangement.

The undersigned Minister hopes, therefore, that the President will comply with these proper desires of the Government of His Majesty, and that the Secretary of State will respond to the same in a separate note, if possible, at the time he replies to the proposition for the arrangement contained in the present note, and he gladly improves this opportunity to repeat the assurances of his highest consideration.

(Signed,) M. SUAREZ GUANES.

To the Honorable JAMES G. BLAINE,

Secretary of State of the United States of America.

SCHEDULE A.

Products or manufactures of the United States proceeding from the ports of said States to be admitted into Cuba and Porto Rico, on and after July 1, 1892, free of customs duties, and unloading and all other charges, whether national or provincial:

1. Marble, jasper and alabaster natural or artificial, in rough or in pieces, dressed, squared and prepared for taking shape.
2. Other stones and earthy matters, including cement, employed in building, the arts and industries.
3. Waters, mineral or medicinal.
4. Ice.
5. Coal, mineral.
6. Resin, tar, pitch, turpentine, asphalt, schist and bitumen.

7. Petroleum, raw or crude, in accordance with the classification fixed in the tariff of said islands.

8. Clay, ordinary, in paving tiles large and small, bricks and roof tiles unglazed, for the construction of buildings, ovens and other similar purposes.

9. Gold and silver coin.

10. Iron, cast in pigs, and old iron and steel.

11. Iron, cast, in pipes, beams, rafters and similar articles, for the construction of buildings, and in ordinary manufactures. (See repertory.)

12. Iron, wrought, and steel, in bars, rails and bars of all kinds, plates, beams, rafters, and other similar articles for construction of buildings.

13. Iron, wrought, and steel, in wire, nails, screws, nuts, and pipes.

14. Iron, wrought, and steel, in ordinary manufactures and wire cloth unmanufactured. (See repertory.)

15. Cotton, raw, with or without seed.

16. Cotton seed, oil and meal cake of same for cattle.

17. Tallow and all other animal greases, melted or crude, unmanufactured.

18. Books and pamphlets, printed, bound and unbound.

19. Woods of all kinds, in trunks or logs, joists, rafters, planks, beams, boards and round or cylindric masts, although cut, planed, tongued and grooved, including flooring.

20. Wooden cooperage, including staves, headings and wooden hoops.

21. Wooden boxes, mounted or unmounted, except of cedar.

22. Woods, ordinary, manufactured into doors, frames, windows and shutters, without paint or varnish, and wooden houses, unmounted, without paint or varnish.

23. Woods, ordinary, manufactured into all kinds of articles turned or unturned, painted or varnished, except furniture. (See repertory.)

24. Manures, natural or artificial.

25. Implements, utensils and tools for agriculture, the arts and mechanical trades.

26. Machines and apparatus, agricultural, motive, industrial and scientific, of all classes and materials, and loose pieces for the same, including wagons, carts and handcarts for ordinary roads and agriculture.

27. Material and articles for public works, such as railroads, tramways, roads, canals for irrigation and navigation, use of waters, ports, lighthouses, and civil construction of general utility, when introduced by authorization of the Government, or if free admission is obtained in accordance with local laws.

28. Materials of all classes for the construction, repair in whole or in part of vessels, subject to specific regulations to avoid abuse in the importation.

29. Meats, in brine, salted and smoked, including bacon, hams, and meats preserved in cans, in lard or by extraction of air; jerked beef excepted.

30. Lard and butter.

31. Cheese.

32. Fish and shellfish, live, fresh, dried, in brine, salted, smoked and pickled; oysters and salmon in cans.

33. Oats, barley, rye and buckwheat, and flour of these cereals.
34. Starch, maizena and other alimentary products of corn, except corn meal.
35. Fruits, fresh, dried and preserved, except raisins.
36. Vegetables and garden products, fresh and dried.
37. Hay, straw for forage and bran.
38. Trees, plants, shrubs and garden seeds.
39. Tan bark.

(Signed,)

FABIÉ.

WASHINGTON, *June 12, 1891.*

A true copy.

M. SUAREZ GUANES.

SCHEDULE B.

Products or manufactures of the United States proceeding from the ports of said States to be admitted into Cuba and Porto Rico, on and after July 1, 1892, on payment of the customs duties stated, being exempt from the unloading and all other charges, whether national or provincial:

40. Corn or maize, 25 cents per 100 kilogrammes.
41. Corn meal, 25 cents per 100 kilogrammes.
42. Wheat, 30 cents per 100 kilogrammes.
43. Wheat-flour, \$1 per 100 kilogrammes.
44. Carriages, cars and other vehicles for railroads or tramways, where authorization of the Government for free admission has not been obtained, 1 per centum ad valorem.

It is to be understood that the packages or coverings in which the articles named in the foregoing schedules, A and B, are imported shall be free of duty if they are usual and proper for the purpose.

(Signed,)

FABIÉ.

WASHINGTON, *June 12, 1891.*

A true copy.

M. SUAREZ GUANES.

SCHEDULE C.

Products or manufactures of the United States proceeding from the ports of said States to be admitted into Cuba and Porto Rico, on and after July 1, 1892, at a reduction of 50 per centum of the duty fixed on each article in the third column of the customs tariff of the said islands or in the column in force, in case said third column shall be substituted by another, which reduction shall be likewise applied to the unloading and all other duties which are imposed for the benefit of the nation or provinces on imported goods:

45. Marble, jasper and alabaster, of all kinds, cut into flags, slabs or steps, and the same worked or carved in all kinds of articles polished or not.

46. Glass and crystal ware, plate and window glass, and the same silvered, quicksilvered and platinized.

47. Clay in tiles, large and small, and mosaic for pavements, colored tiles, roof tiles glazed and pipes.

48. Stoneware and fine earthenware, and porcelain.

49. Iron, cast, in fine manufactures or those polished, with coating of porcelain or part of other metals. (See repertory.)

50. Iron, wrought, and steel, in axles, tires, springs and wheels for carriages, rivets and their washers.

51. Iron, wrought, and steel, in fine manufactures or those polished, with coating of porcelain or part of other metals, not expressly comprised in other numbers of these schedules, and platform scales for weighing. (See repertory.)

52. Needles, pens, knives, table and carving, razors, penknives, scissors, pieces for watches and other similar articles of iron and steel.

53. Tin plate in sheets or manufactured.

54. Copper, bronze, brass and nickel, and alloys of same with common metals, in lump or bars, and all manufactures of the same.

55. All other common metals and alloys of the same, in lump or bars, and all manufactures of the same, plain, varnished, gilt, silvered or nicked.

56. Furniture of all kinds, of wood or metal, including school furniture, blackboards and other materials for schools, and all kinds of articles of fine woods not expressly comprised in other numbers of these schedules. (See repertory.)

57. Rushes, esparto, vegetable hair, broom corn, willow, straw, palm, and other similar materials, manufactured into articles of all kinds.

58. Pastes for soups, rice flour, bread and crackers, and alimentary farinas, not comprised in other numbers of these schedules.

59. Preserved alimentary substances and canned goods, not comprised in other numbers of these schedules, including sausages, stuffed meats, mustards, sauces, pickles, jams and jellies.

60. Rubber and gutta-percha, and manufactures thereof, alone or mixed with other substances (except silk), and oilcloths and tarpaulin.

61. Rice, hulled or unhulled.

It is agreed that the duties of the third column of the tariffs of the islands of Cuba and Porto Rico mentioned in this schedule are understood to be those stated in the tariffs now in force, with the additional duties authorized by laws and orders previous to this date.

(Signed,)

FABIÉ.

WASHINGTON, *June 12, 1891.*

A true copy.

M. SUAREZ GUANES.

SCHEDULE D.

Products or manufactures of the United States proceeding from the ports of said States to be admitted into Cuba and Porto Rico, on and after July 1, 1892, at a reduction of 25 per centum of the duty fixed on the respective article in the third column of the customs tariff of said islands or in the column in force, in case said third column shall be substituted by another, which reduction shall be likewise applied to the unloading and all other duties which are imposed for the benefit of the nation or provinces on imported goods:

62. Petroleum, refined, and benzine.
63. Cotton manufactured, spun or twisted, and in goods of all kinds, woven or knit, and the same mixed with other vegetables or animal fibers in which cotton is an equal or greater component part, and clothing exclusively of cotton.
64. Rope, cordage, and twine of all kinds.
65. Colors, crude and prepared, with or without oil, inks of all kinds, shoe blacking and varnishes.
66. Soap, toilet, and perfumery.
67. Medicines, proprietary or patent and all others, and drugs.
68. Stearine and tallow manufactured in candles.
69. Paper for printing, for decorating rooms, of wood or straw for wrapping and packing, and bags and boxes of same, sandpaper and paste-board.
70. Leather and skins, tanned, dressed, varnished or japanned, of all kinds, including sole leather or belting.
71. Boots and shoes in whole or in part of leather or skins.
72. Trunks, valises, traveling bags, portfolios and other similar articles in whole or in part of leather.
73. Harness and saddlery of all kinds.
74. Watches and clocks, of gold, silver or other metals, with cases of stone, wood, or other material, plain or ornamented.
75. Carriages of two or four wheels and pieces of the same.

It is agreed that the duties of the third column of the tariffs of the islands of Cuba and Porto Rico mentioned in this schedule are understood to be those stated in the tariffs now in force, with the additional duties authorized by laws and orders previous to this date.

(Signed,)

FABIÉ.

WASHINGTON, *June 12, 1891.*

A true copy.

M. SUAREZ GUANES.

Mr. Blaine to Señor Suarez Guanes.

DEPARTMENT OF STATE,

Washington, June 16, 1891.

SIR: Having already had the honor to enter with you upon a transitory commercial arrangement between the United States and the islands of Cuba and Porto Rico, to go into effect September 1 next, I now have the pleasure to acknowledge the receipt of your note of the 12th instant, in which you inform me that, with the object of giving a definitive character to said commercial arrangement, the Government of Spain, in reciprocity and compensation for the admission into the ports of the United States of America, free from all national, State, and municipal duties, of the products of Cuba and Porto Rico enumerated in my note of January 3 last, is prepared by due legal enactment to authorize the admission into said islands, from July 1, 1892, of the articles or merchandise named in the schedules annexed to your note of the 12th instant, on the conditions stated in said note and schedules; that your Government gives the assurance that no export or port tax, whether national or provincial, shall be imposed on the articles admitted free into the United States; that it will seek to have no greater municipal duties than those paid by national products imposed on the articles named in said schedules, and that said duties shall not materially increase the price of said articles; and that the laws and regulations which may be adopted by Spain to prevent fraud shall not impose any additional charges therefor on the articles named in said schedules imported from the United States.

I am directed by the President to state that he accepts this action of the Government of Spain, in proposing to grant exemption of duties to the products of the United States, as a due reciprocity for the action of the Congress of the United States, as set forth in my note to you of January 3d last.

I am also pleased to reciprocate the assurance contained in your note, and to state that no export tax, whether national, State, or municipal, can or will be imposed in the United States upon the products and manufactures enume-

rated in the schedules attached to your note of the 12th instant.

It may be further understood that, while the Government of the United States reserves the right to adopt such laws and regulations as may be found necessary to protect the revenue and prevent fraud in the declarations and proof that the articles enumerated in my note of January 3 last, and whose free admission is provided for by the tariff law therein cited, are the product or manufacture of the islands of Cuba and Porto Rico, the laws and regulations to be adopted to that end shall place no undue restrictions on the importer, nor impose any additional charges therefor upon the articles imported.

It is likewise understood that wheat-flour shall not share in the reduction of duties specified in Schedule B attached to your note of the 12th instant, which, on its exportation from the United States, may have been favored with any tariff advantages in the nature of drawbacks.

It is agreed that a repertory shall be compiled before the present commercial arrangement goes into force, under the joint supervision of the Department of State and the Spanish Legation in Washington, to regulate the better application of the said schedules in the custom-houses of Cuba and Porto Rico upon the basis stated in your note.

It is also agreed that, when this definitive commercial arrangement goes into effect, the transitory arrangement to be put in operation September 1 next shall terminate and be of no further force.

I have, therefore, to request that you will call at the Department of State at your early convenience to agree upon the time and manner of making public announcement of this definitive commercial arrangement, which, it is understood, shall remain in force so long as it shall not be modified by the mutual agreement of the Executive Power of the two countries, always reserving the respective right of the Congress of the United States and of the Cortes of Spain to modify or repeal said arrangement whenever they may think proper.

In conclusion, I am directed by the President to state that the suggestion contained in your note respecting tobacco

shall have his careful consideration, and that it shall be made the subject of a *séparate* note.

I improve the opportunity to offer to you, Sir, the renewed assurances of my highest consideration.

JAMES G. BLAINE.

Señor Don MIGUEL SUAREZ GUANES,

Etc., etc., etc.

